

#DAC

## PENTION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Docket Number CE08395R

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Rinchiuso et al.

Group Art Unit:

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**Application Number:** 

09/760,039

Examiner:

Unknown

2661

Filed:

.)

January 12, 2001

Title:

PACKET TRANSMISSION WITHIN A BROAD-BAND COMMUNICATION SYSTEM

Attention: Office of Petitions

Assistant Commissioner for Patents

**Box DAC** 

Washington, D.C. 20231

Note: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the Untied States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

## APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

**NOTE**: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee—required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay.

1.	Petiti	on fee
		Small entity – fee \$ (37 CFR 1.17(I)). Applicant claims small entity status. See 37 CFR 1.27
	X	Other than small entity – fee \$
2.	Reply	and/or fee
	A.	The reply and/or fee to the above-noted Office action in the form of Missing Parts (identify type of reply)
		has been filed previously on
		X is enclosed herewith
	B.	The issue fee of \$
		has been paid previously on
		is enclosed herewith.

PTO/SB/64 (10-00)

Page 1 of 2

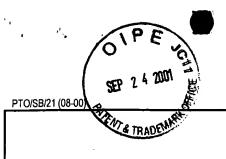
09/26/2001 SLUANG1 00000001 134772 09760039
01 FC:141

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SEP 2 6 2001

OFFICE OF PETITIONS

3.	Terminal Disclaimer with disclaimer fee	<u> </u>				
Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.						
<u> </u>	A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ For a small entity or \$ For other than a small entity) disclaiming the required period of time is enclosed herewith (See PTO/SB/63)					
4.	4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.1379b) was unintentional (MPEP 711.03(c)(iii)(C) and (D))]					
5.	5. X The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 13-4772					
	RNING: Information on this form may become public. Con Provide credit card information and authorization on F		n should not be included on this			
l _	September 19, 2001		J.			
	Date		Signature			
	847-576-6937	Ken	neth A. Haas			
-	Telephone Number		Typed or printed name			
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	SEP 2 6 2001					
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			22917			
		Cust	omer Number			
Encl	osures: X Fee Payment					
	X Missing Parts					
	Terminal Disclaimer Form					
	Additional sheets containing statements es	stablishing unintention	al delay			
	CERTIFICATE OF MAILING OR TE	RANSMISSION (37	CFR 1.8(a))			
I her	eby certify that this correspondence is being:					
X Deposited with the United States Postal Service on the date shown below with sufficient postage as first-class						
Mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231  Transmitted by facsimile on the data shown below to the United States Patent and Trademark office at						
	(703) 308-6916.					
Deposited with the United States Postal Service on the date shown below with sufficient postage as Express Mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231: Express Mail Label No.						
	September 167, 2001	100.10	Ahan			
-	Date	Junyan	Signature			
·						
	Tanya Scheuer  Typed or printed name of person signing certificate					
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## TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

Total Number of Pages in this Submission

Application Number	09/760,039
Filing Date	January 12, 2001
First Named Inventor	Rinchiuso et al.
Group Art Unit	2661
Examiner Name	Unknown
Atro Dev Docket Number	CE08395R

ENCLOSURES (check all that apply)							
X Fee Transmittal Form		Form	X Assignment Papers		After Allowance		
Fee Attached			(for an Application)  Drawing(s)	1 _	Communication to Group  Appeal Communication to Board		
	t/Don	l.,				eals and Interferences	
Amendment/Reply			Licensing-Related papers		Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)		
After Final		al	Petition		Proprietary Information  Status Letter with appropriate copies		
Affidavits/Declaration(s)		/Declaration(s)	Petition to Convert to a Provisional Application				
Extension of time Request			Power of Attorney, Revocation, Change of Correspondence			nclosure(s) (please identify below)	
Express Abandonment Request		nment Request	Address		☐ Associate Power of Attorney		
Information Disclosure Statement		osure Statement	Terminal Disclaimer		☐ RCE ☐ Petition for Revival of Abandoned		
Certified Copy of Priority Documents		Priority Documents	Request for Refund		Unintentionally Under 37CFR1.137(b)  Executed Declaration		
X Response to Missing Parts/		sing Parts/	CD, Number of CDs				
Incomplete Application		cation	Remarks	,			
Response to Missing Parts Under 37 CFR 1.52 or 1.53							
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT							
Firm or Kenneth A. Haas		th A. Haas	2	Registration No.		42,614	
Signature All							
Date	Date September 18, 2001						
			CERTIFICATE OF MAILING				
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first-class mail, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on the date listed below:							
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